sHON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION NO.14779 OF 2006

Between:

Rajesh Agarwal and another
. . .Petitioners

AND

The Commissioner, Kukatpally Municipality,
Ranga Reddy District
. . .Respondent

Counsel for the Petitioners :Shri B.Vijaysen Reddy

Counsel for the Respondent : Shri P.Radhakrishna

Dated: 14th September, 2006

: ORDER :

PER G.S.SINGHVI, CJ

In this petition, the petitioners have made the following substantive prayer:

> "It is therefore prayed that this Hon'ble Court may be pleased to issue a writ or any appropriate writ or writs or direction/s more particularly in the nature of Writ of Mandamus declaring the action of the respondent in interfering with the peaceful possession of the petitioners and seeking to demolish the structures in the stilt portion of schedule property bearing No.13-1-242/A & B, situated at plot No.180, Sy.No.31 and 32 at Motinagar, Bobbuguda village, Kukatpalli Municipality, R.R. District, as illegal, arbitrary and unconstitutional and consequently direct the respondent his agents, personnel or any person claiming under him not to interfere with the peaceful possession of the schedule property."

At the hearing, Shri Polisetti Radhakrishna, learned counsel for the respondent made a statement that no notice has so far been issued to the petitioners proposing to demolish their property on the ground of unauthorized construction.

In view of the statement made by Shri Radhakrishna, the writ petition is disposed of as premature.

This would necessarily mean that as and when notice is issued

by the competent authority to the petitioners requiring them to remove alleged unauthorized construction or any action is taken in that regard, the petitioners shall be free to avail appropriate legal remedy.

As a sequel to disposal of the main petition, W.P.M.P.No.18428 of 2006 filed by the petitioners for interim relief is disposed of as infructuous.

G.S.SINGHVI, CJ

G.V.SEETHAPATHY, J

Date: 14.09.2006

Kvni/bsc